

BILL NO. G-97- 11-12

GENERAL ORDINANCE NO. G- 18-97

AN ORDINANCE amending the Thoroughfare
Plan of the City Comprehensive ("Master")
Plan by vacating dedicated right-of-way.

WHEREAS, a petition to vacate dedicated right-of-way within the City of Fort Wayne, Indiana, (as more specifically described below) was duly filed with the City Clerk of the City of Fort Wayne, Indiana; and

WHEREAS, Common Council of the City of Fort Wayne, Indiana, duly held a public hearing and approved said petition, as provided in I.C. 36-7-3-12.

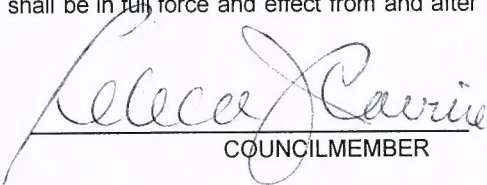
NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a dedicated right-of-way within the City of Fort Wayne, Indiana, more specifically described as follows, to-wit:

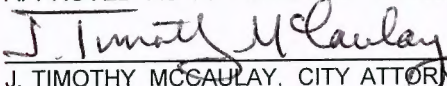
150 feet of a 12 foot alley between the west half of Lot 62 all of Lot 63 and all of Lot 64, 65 and 66 in Lewis Addition


and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.


COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:


J. TIMOTHY MCCAULAY, CITY ATTORNEY


Sandra E. Kennedy, City Clerk

Read the first time in full and on motion by Ravine,
and duly adopted, read the second time by title and referred to the Committee on
Regulations, (and the City Plan Commission for recommendation)
and Public Hearing to be held after due legal notice, at the Common Council Conference
Room 128, City-County Building, Fort Wayne, Indiana, on _____,
the _____ day of _____, 19____, at _____
o'clock _____ M., E.S.T.

DATED: 12-16-97

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Ravine,
and duly adopted, placed on its passage. PASSED
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>			<u>1</u>
BENDER	<u>✓</u>			
CRAWFORD	<u>✓</u>			
EDMONDS				<u>✓</u>
HALL	<u>✓</u>			
HAYHURST	<u>✓</u>			
HENRY	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			

DATED: 12-16-97

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,

as (~~ANNEXATION~~) (APPROPRIATION) (GENERAL) (~~SPECIAL~~)

(~~ZONING~~) ORDINANCE RESOLUTION NO. G 18-97

on the 16th day of December, 19 97

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Thomas P. Helmke
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the
17th day of December, 19 97
at the hour of 3:00 o'clock P, M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 22^d day
of December, 19 97, at the hour of 3:00
o'clock P M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR



Vacation Petition

City Clerk / Room 122 City County Building / Fort Wayne, IN 46802 / (219) 427-1208

I/We do hereby petition to vacate the following:

☐ Easement

☒ Public Right-of-Way (street or alley)

More particularly described as follows:

150 FEET OF A 12 FOOT ALLEY BETWEEN THE
WEST HALF OF LOT 62 ALL OF LOT 63 AND ALL
OF LOT 64, 65, AND 66 IN LEWIS ADDITION.

(Please attach a legal description of the property requested to be vacated, along with a survey or other acceptable drawing showing the property.)

The reasons for the proposed vacation are as follows:

TO MAKE THE PROPERTY WORK ~~BETTER~~ BETTER FOR
DEVELOPMENT. NEED TO GET A MORTGAGE
FOR THE PROPERTY AND THE UNNECESSARY
ALLEY IS A HINDERANCE. I AM MOVING
THE UTILITY POLE.

(If additional space is needed please attach a separate page)

The name and addresses of all adjacent property owners must also be provided by the applicant.

Property owner('s) name(s): W M E BROWN

Street Address: 1810 PEMBERTON DRIVE

City: FT. WAYNE State: IN Zip: 46805 Phone: 422 0971

Property owner('s) name(s):

Street Address:

City: State: Zip: Phone:

Property owner('s) name(s):

Street Address:

City: State: Zip: Phone:

Property owner('s) name(s):

Street Address:

City: State: Zip: Phone:

Property owner('s) name(s):

Street Address:

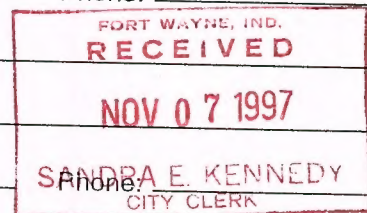
City: State: Zip: Phone:

(If additional space is needed please attach a separate page)

Applicants Name (if different from above): W M E BROWN

Street Address: 1810 PEMBERTON DRIVE

City: FT. WAYNE State: IN Zip: 46805 Phone: 422 0971



I/We, your petitioners, file this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance. I/We agree to abide by all provisions of the Fort Wayne Zoning Ordinance and/or Subdivision Control Ordinance, as well as all procedures and policies of the Fort Wayne City Plan Commission as those provisions, and policies relate to the handling and disposition of this petition. I/We also certify that this information is true and accurate to the best of my/our knowledge.

WM E Brown WM E BROWN 11-5-97
Signature Printed Name Date

1810 PEMBERTON DR.
Address

FT. WAYNE IN 46805
City/state/zip

Signature Printed Name Date

Address

City/state/zip

(If additional space is needed please attach a separate page)

Agents Name (Please print legibly): _____

Street Address: _____

City: _____ State: _____ Zip: _____ Phone: _____

NOTICE:

- Legal description is to be of the area to be vacated and must be complete and correct. If necessary a licensed surveyor's legal description may be required.
- All adjacent property owner's signatures must accompany this application.
- Applicant is hereby informed that in the case of a utility being located in a public way or easement, the applicants may be required to bear the cost of relocation, or of providing a replacement easement or easements as needed.

For Office Use Only:

Receipt #:	Date Filed:
Map #:	Reference #:

NUMBER

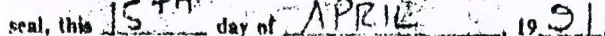
CIVIL ENGINEERS & LAND SURVEYORS
FORT WAYNE, INDIANA

MICHAEL W. DAVIS
L.S. No. 880030

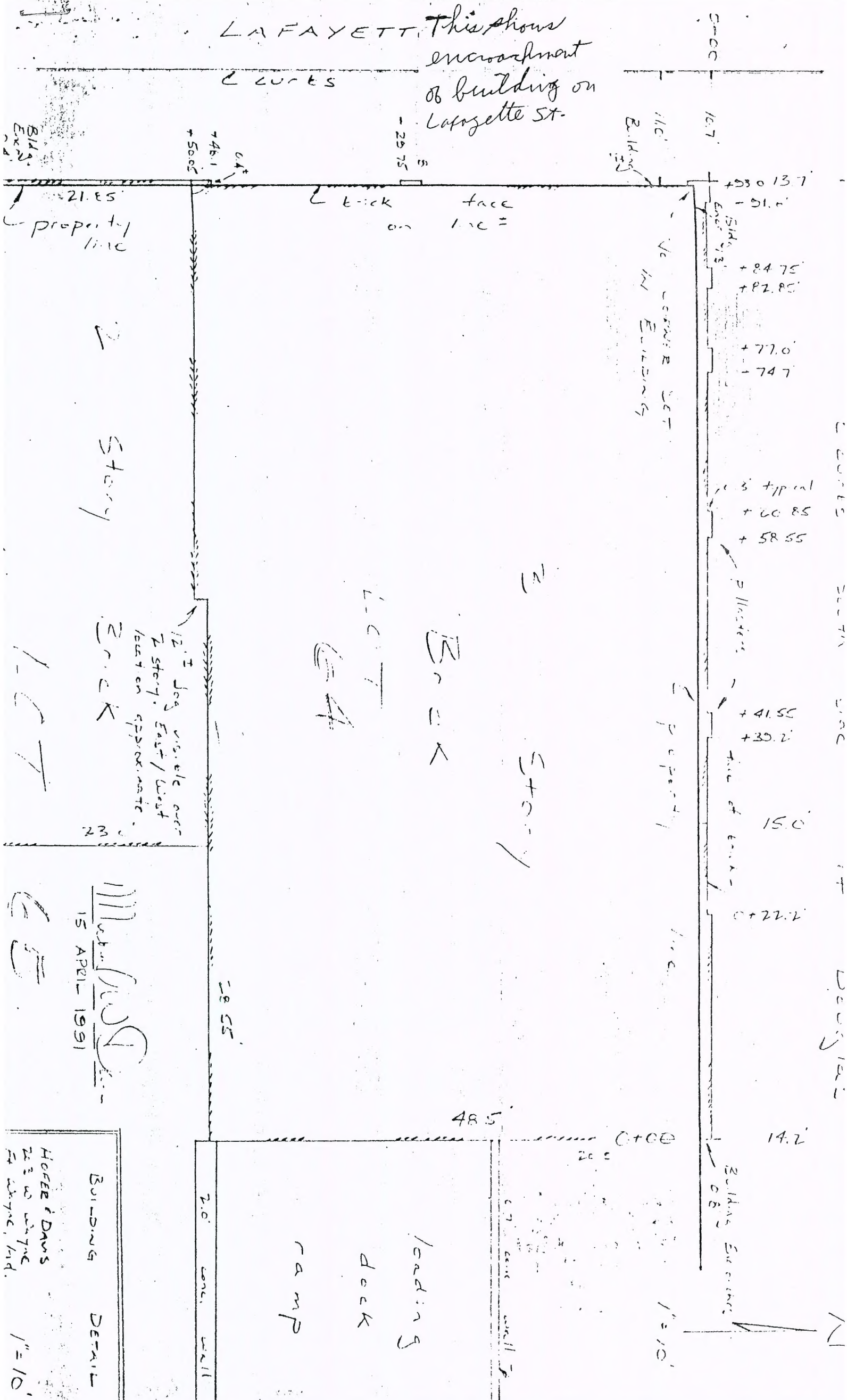
50

Page 73

ZONE "X" (Areas determined to be outside 500-year flood plain) FIRM MAPS Panel 260 Allen County, Indiana, dated September 28, 1990.



LAFAYETTE This shows
encroachment
of building on
Lafayette St.



1111
15 APRIL 1991

HOFFER & DAVIS
222 W. 1st St.
St. Mary, Ind.
1" = 10'

BUILDING DETAIL

ORIGINAL

ORIGINAL

#647

DIGEST SHEET

TITLE OF ORDINANCE Alley Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE A north/south alley, East of Lafayette Street; South of Douglas Avenue; North of Brackenridge Street and west of Clay Street.

D-97-11-12

EFFECT OF PASSAGE Property is currently dedicated public right-of-way. Property will be closed and revert to the use of the adjacent property owners.

EFFECT OF NON-PASSAGE Property will remain dedicated public right-of-way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE) _____

BILL NO. G-97-11-12

REPORT OF THE COMMITTEE ON REGULATIONS

REBECCA J. RAVINE - THOMAS E. HAYHURST - CO-CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ amending thoroughfare
Plan of the City Comprehensive ("Master") Plan by vacating dedicated
right-of-way

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) ~~(RESOLUTION)~~

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Rebecca Ravine

John W. Crompty

Debra Hall

QJ Schmitt

Thomas E. Hayhurst

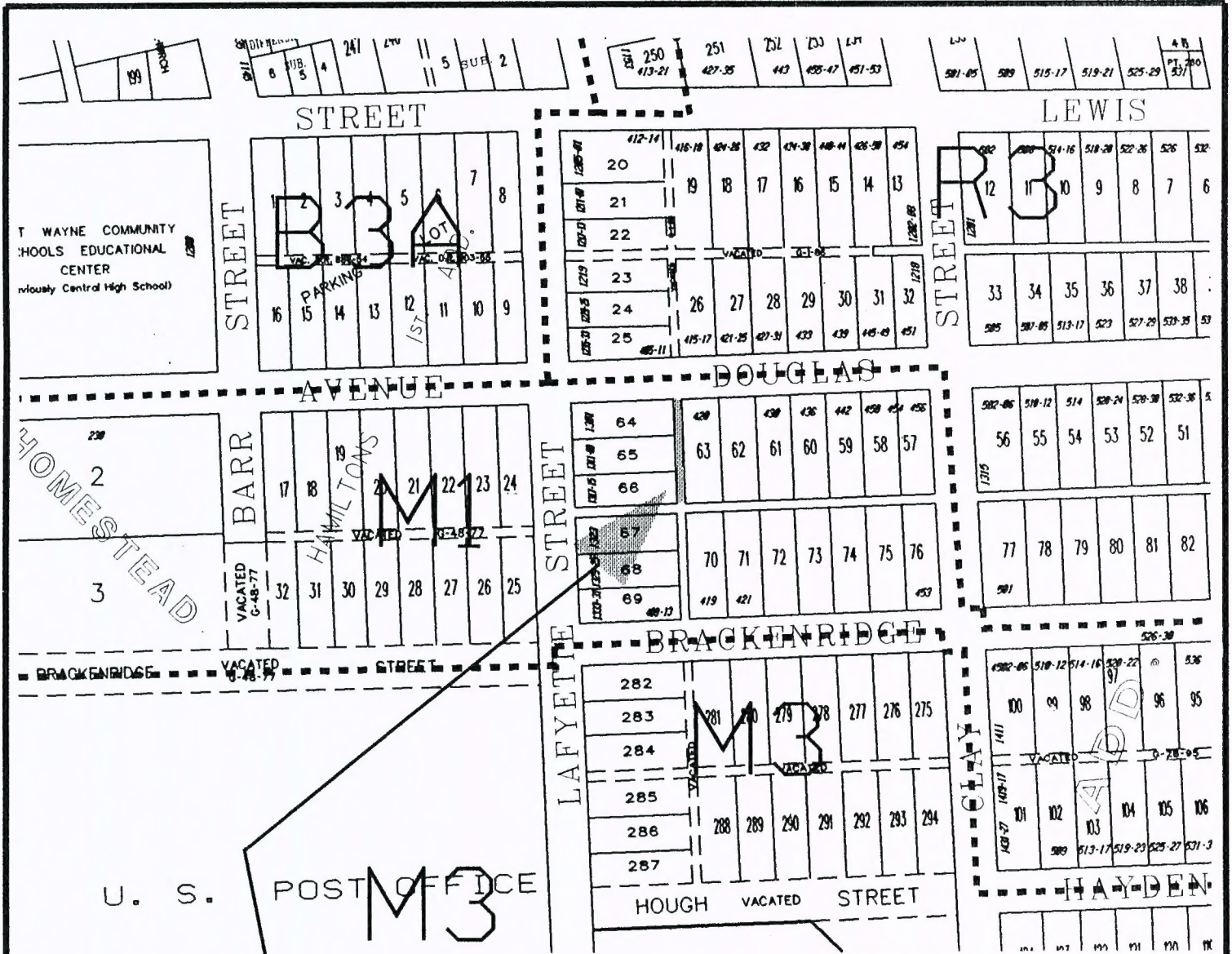
Martha J. Bender

Julie J. Jansky

DATED:

Sandra E. Kennedy
City Clerk

VACATION



VACATION PETITION

CASE NUMBER 647

COUNCIL DISTRICT 1

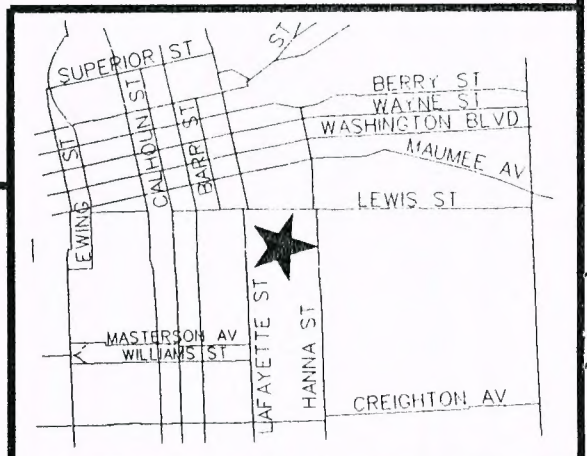
MAPS N-2

R3 - MULTIPLE-FAMILY RESIDENTIAL

B3A - GENERAL BUSINESS

M1 - LIGHT INDUSTRIAL

M3 - HEAVY INDUSTRIAL





THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221 • FAX 219-427-1371

SANDRA E. KENNEDY, CITY CLERK

December 4, 1997

W. M. E. Brown
1810 Pemberton Drive
Fort Wayne, IN 46805

Dear Mr. Brown:

We are sending you this letter to let you know that the City of Fort Wayne Common Council will hold a public hearing on Tuesday, December 9, 1997, at 5:30 P.M. Common Council will hold the public hearing in the City Council Conference Room 128, of the City-County Building. Room 128 is located on the first floor of the City-County Building, on the Calhoun Street side of the building. The following request will be on the agenda for the public hearing.

PROPOSAL: Alley Vacation

APPLICANT: W.M. Brown

REQUEST: 150 feet of a 12 foot alley between the west half of Lot 62 all of Lot 63 and all of Lot 64, 65 and 66 in Lewis Addition

REASON: To make the property work for development

We are sending you this notice because you own property which is adjacent to the property included in this vacation request. This public hearing is your opportunity to offer input on the request. If you have any questions about the public hearing, please call the City Clerk's office at 427-1221. If you have any questions about the vacation request, please call the City Planning Department at 427-1129.

FORT WAYNE COMMON COUNCIL

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

W.M.E. BROWN
1810 PEMBERTON DRIVE
FORT WAYNE, IN 46805

4a. Article Number

P 304 164 534

4b. Service Type

- | | |
|---|---|
| <input type="checkbox"/> Registered | <input checked="" type="checkbox"/> Certified |
| <input type="checkbox"/> Express Mail | <input type="checkbox"/> Insured |
| <input type="checkbox"/> Return Receipt for Merchandise | <input type="checkbox"/> COD |

7. Date of Delivery

12/6/97

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X

W.M.E. Brown

Domestic Return Receipt

PS Form 3811, December 1994

Thank you for using Return Receipt Service.

P 304 164 534

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to W.M.E. Brown	
Street & Number 1810 Pemberton Drive	
Post Office, State, & ZIP Code Fort Wayne, IN 46805	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, April 1995



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221 • FAX 219-427-1371

SANDRA E. KENNEDY, CITY CLERK

November 26, 1997

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of November 29, 1997, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Bill No. G-97-11-12
Vacating dedicated right-of-way

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-97-11-12)

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON TUESDAY, DECEMBER 9, 1997, AT 5:30 O'CLOCK P.M., E.S.T. IN THE COMMON COUNCIL CONFERENCE ROOM 128, CITY-COUNTY BUILDING, ONE MAIN STREET, FORT WAYNE, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: EAST OF LAFAYETTE, SOUTH OF DOUGLAS, NORTH OF BRACKENRIDGE, AND WEST OF CLAY

150 FEET OF A 12 FOOT ALLEY BETWEEN THE WEST HALF OF LOT 62
ALL OF LOT 63 AND ALL OF LOT 64, 65 AND 66 IN LEWIS ADDITION

ALL INTERESTED PARTIES ARE INVITED TO APPEAR AND BE HEARD.

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH THE STATE AND FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION" SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219) 427-1120, TTY (219) 427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY
CITY CLERK

FW COMMON COUNCIL

(Governmental Unit)

To:

The Journal-Gazette

Dr.

P.O. Box 100

Fort Wayne, IN

ALLEN

County, Indiana

PUBLISHER'S CLAIM**LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

35 lines, 1 columns wide equals 35 equivalent lines
at .364 cents per line

\$ 12.74

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 13.74**DATA FOR COMPUTING COST**Width of single column 12.5 emsNumber of insertions 1Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: DEC 1, 19 97Title: Clerk**PUBLISHER'S AFFIDAVIT**

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L SMITH who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time, the dates of publication being as follows:

12-1-97Subscribed and sworn to before me this 1st day of DEC, 19 97.

Mary L Schneider
Notary Public

MARY L SCHNEIDER
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY

My commission expires:

MY COMMISSION EXP JUNE 14, 2001

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FORT WAYNE COMMON COUNCIL
(BILL NO. G-97-11-12)**

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150 Feet of a 12 foot alley between the west half of lot 62 all of lot 63 and all of lot 64, 65 and 66 in Lewis Addition

All interested parties are invited to appear and be heard.

"Reasonable Accommodations" for persons with a known disabling condition will be considered in accordance with state and federal law. Any person needing a "Reasonable Accommodation" should notify Public Information Office (219) 427-1120, TTY (219) 427-1200, At least seventy-two (72) hours prior to the meeting.

Sandra E. Kennedy
City Clerk
#653033

FW COMMON COUNCIL
(Governmental Unit)

To: The News-Sentinel Dr.
P.O. Box 100
Fort Wayne, IN

ALLEN County, Indiana

PUBLISHER'S CLAIM

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TOTAL AMOUNT OF CLAIM \$ 13.74

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Date: DEC 1, 19 97 Title: Julie L Smith Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L SMITH who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time, the dates of publication being as follows:

12-1-97
Julie L Smith
Subscribed and sworn to before me this 1st day of DEC, 19 97.

Mary L Schneider
Notary Public

My commission expires: MARY L SCHNEIDER
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP JUNE 14, 2001

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(BILL NO. G-97-11-12)

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Sandra E. Kennedy
City Clerk
#653033

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